

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER BARAJAS,

Petitioner,

No. CIV S-01-1572 DFL DAD P

vs.

MIKE KNOWLES, Warden, et al.,

Respondents.

SECOND ORDER TO SHOW CAUSE

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Petitioner is a state prisoner proceeding with counsel. On August 9, 2004, the court granted petitioner's motion for a stay subject to certain conditions. Petitioner did not comply with the requirement that he file an exhaustion petition and notify this court of such filing within sixty days. After considering counsel's response to the court's previous order to show cause, the undersigned discharged the order to show cause and further ordered that

3. If petitioner has not exhausted his state court remedies by February 28, 2005, petitioner shall file and serve a status report on March 4, 2005, *and on the first court day of every second month thereafter until the stay of this action is lifted*; and

4. Failure to comply with the requirements set forth in the August 9, 2004 order, as modified by this order, may result in an order imposing sanctions.

Order filed Nov. 9, 2004, at 1-2 (emphasis added). Although petitioner filed a status report on

1 March 4, 2005, he did not file a status report on May 2, 2005, the first court day of the second  
2 month after March 4, 2005.

3 IT IS HEREBY ORDERED that petitioner shall show good cause in writing  
4 within ten days for his second failure to comply with court orders in this action. Failure to show  
5 good cause will result in a recommendation that the stay be lifted and that petitioner be precluded  
6 from amending his federal habeas petition to add new claims.

7 DATED: May 24, 2005.

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10 DALE A. DROZD  
11 UNITED STATES MAGISTRATE JUDGE

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